


| | | | | |
|--|---|-----------------------------------|------------------------------|---|
| CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10) Applicant(s): Hing | | | Docket No. 95768 | |
| Application No. 10/359140 | Filing Date November 30, 2005 | Examiner To Be Assigned | Customer No. 24628 | Group Art Unit To Be Assigned |
| Invention: Apparatus And Method For Photo-Electric Measurement | | | | |
| <p>I hereby certify that the following correspondence:</p> <div style="border: 1px solid black; padding: 5px; margin: 10px 0;"> Express Mail Label EV 731140435 US; Transmittal Letter To the US DO/EO/US Concerning Submission Under 35 U.S.C. 371; Original Specification; Substitute Spec. Showing Changes; Clean Copy of Substitute Spec.; Formal Drawings (7 Sheets); Published PCT Application; ISR; IPER; Preliminary Amendment; Unexecuted Declaration and Power of Attorney; Application Data Sheet; Check in the Amount of \$1,325.00; and Postcard. </div> <p style="text-align: center;"><i>(Identify type of correspondence)</i></p> <p>is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on</p> <div style="margin-top: 20px;"> <div style="display: flex; justify-content: space-between;"> <div style="width: 40%;"> <p style="text-align: center;"><u>November 30, 2005</u></p> <p style="text-align: center;"><i>(Date)</i></p> </div> <div style="width: 50%;"> <p style="text-align: center;"><u>Carl Stanley</u></p> <p style="text-align: center;"><i>(Typed or Printed Name of Person Mailing Correspondence)</i></p> <div style="margin-top: 10px;">  <p style="text-align: center;"><i>(Signature of Person Mailing Correspondence)</i></p> </div> <p style="text-align: center;"><u>EV 731140435US</u></p> <p style="text-align: center;"><i>("Express Mail" Mailing Label Number)</i></p> </div> </div> </div> | | | | |
| <p>Note: Each paper must have its own certificate of mailing.</p> | | | | |

FORM PTO-1390 (Modified) U.S. PATENT AND TRADEMARK OFFICE; U.S. DEPARTMENT OF COMMERCE
(REV. 7-2005)

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A SUBMISSION UNDER 35 U.S.C. 371**

ATTORNEY'S DOCKET NUMBER

95768

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

10/559140

INTERNATIONAL APPLICATION NO.
PCT/EP2003/005758

INTERNATIONAL FILING DATE
June 2, 2003

PRIORITY DATE CLAIMED
Not Applicable

TITLE OF INVENTION

Apparatus And Method For Photo-Electric Measurement

APPLICANT(S) FOR DO/EO/US

Hing

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4. ☐ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c)(2))
 - a. ☒ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☒ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11. ☒ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☒ A copy of the International Search Report (PCT/ISA/210).

Items 13 to 23 below concern document(s) or information included:

13. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☒ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☒ A substitute specification.
18. ☒ A power of attorney and/or change of address letter.
19. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
20. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
21. ☐ A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).
22. ☒ Express Mail Label No. EV 731140435US

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

| U.S. APPLICATION NO (if known, see 37 CFR 1.5) 10/229140 | INTERNATIONAL APPLICATION NO. PCT/EP2003/005758 | ATTORNEY'S DOCKET NUMBER 95768 | | | | | | | | | | | | | | | | | | | | | | | | | | |
|---|---|---|--|------------|--------------|---------|-----------|------------|---|--------|--------------------|--------------|------|--------------|-----------|----|-----------|--------------------|---------|---|------------|---|---|----|--|--------------------------------------|----|------------|
| 23. Other items or information: Application Data Sheet | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| The following fees have been submitted: 24. <input checked="" type="checkbox"/> Basic national fee \$300 25. <input checked="" type="checkbox"/> Examination fee (37 CFR 1.492(c)) If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article \$0 All other situations. \$200 26. <input checked="" type="checkbox"/> Search fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the International preliminary examination report by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4). . . \$0 Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the as an International Searching Authority. \$100 International Search Report prepared by an ISA other than the US and provided to the previously communicated to the US by the IB. \$400 All other situations. \$500 TOTAL OF 24, 25 and 26 = | | <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th style="text-align: left;">CALCULATIONS</th> <th style="text-align: left;">PTO USE</th> </tr> <tr> <td>\$ 300.00</td> <td></td> </tr> <tr> <td>\$ 200.00</td> <td></td> </tr> <tr> <td>\$ 500.00</td> <td></td> </tr> <tr> <td>\$ 1,000.00</td> <td></td> </tr> </table> | CALCULATIONS | PTO USE | \$ 300.00 | | \$ 200.00 | | \$ 500.00 | | \$ 1,000.00 | | | | | | | | | | | | | | | | | |
| CALCULATIONS | PTO USE | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| \$ 300.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| \$ 200.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| \$ 500.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| \$ 1,000.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof. | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th>Total Sheets</th> <th>Extra Sheets</th> <th>Number of each additional 50 or fraction thereof (round up to a whole)</th> <th>RATE</th> </tr> <tr> <td>35 - 100 =</td> <td>0 /50 =</td> <td>0</td> <td>x \$250.00</td> </tr> </table> | Total Sheets | Extra Sheets | Number of each additional 50 or fraction thereof (round up to a whole) | RATE | 35 - 100 = | 0 /50 = | 0 | x \$250.00 | <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th>CLAIMS</th> <th>NUMBER FILED</th> <th>NUMBER EXTRA</th> <th>RATE</th> </tr> <tr> <td>Total claims</td> <td>53 - 20 =</td> <td>33</td> <td>x \$50.00</td> </tr> <tr> <td>Independent claims</td> <td>1 - 3 =</td> <td>0</td> <td>x \$200.00</td> </tr> </table> | CLAIMS | NUMBER FILED | NUMBER EXTRA | RATE | Total claims | 53 - 20 = | 33 | x \$50.00 | Independent claims | 1 - 3 = | 0 | x \$200.00 | <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td>Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).</td> <td>\$</td> <td></td> </tr> <tr> <td>TOTAL OF ABOVE CALCULATIONS =</td> <td>\$</td> <td>\$2,650.00</td> </tr> </table> | Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)). | \$ | | TOTAL OF ABOVE CALCULATIONS = | \$ | \$2,650.00 |
| Total Sheets | Extra Sheets | Number of each additional 50 or fraction thereof (round up to a whole) | RATE | | | | | | | | | | | | | | | | | | | | | | | | | |
| 35 - 100 = | 0 /50 = | 0 | x \$250.00 | | | | | | | | | | | | | | | | | | | | | | | | | |
| CLAIMS | NUMBER FILED | NUMBER EXTRA | RATE | | | | | | | | | | | | | | | | | | | | | | | | | |
| Total claims | 53 - 20 = | 33 | x \$50.00 | | | | | | | | | | | | | | | | | | | | | | | | | |
| Independent claims | 1 - 3 = | 0 | x \$200.00 | | | | | | | | | | | | | | | | | | | | | | | | | |
| Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)). | \$ | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| TOTAL OF ABOVE CALCULATIONS = | \$ | \$2,650.00 | | | | | | | | | | | | | | | | | | | | | | | | | | |
| MULTIPLE DEPENDENT CLAIMS (if applicable) <input type="checkbox"/> + \$360.00 | | <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td>\$</td> <td>\$0.00</td> </tr> </table> | \$ | \$0.00 | | | | | | | | | | | | | | | | | | | | | | | | |
| \$ | \$0.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2. | | <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td>\$</td> <td>\$1,325.00</td> </tr> </table> | \$ | \$1,325.00 | | | | | | | | | | | | | | | | | | | | | | | | |
| \$ | \$1,325.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| SUBTOTAL = | | <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td>\$</td> <td>\$1,325.00</td> </tr> </table> | \$ | \$1,325.00 | | | | | | | | | | | | | | | | | | | | | | | | |
| \$ | \$1,325.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)). | | <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td>\$</td> <td>\$0.00</td> </tr> </table> | \$ | \$0.00 | | | | | | | | | | | | | | | | | | | | | | | | |
| \$ | \$0.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| TOTAL NATIONAL FEE = | | <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td>\$</td> <td>\$1,325.00</td> </tr> </table> | \$ | \$1,325.00 | | | | | | | | | | | | | | | | | | | | | | | | |
| \$ | \$1,325.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property + | | <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td>\$</td> <td>\$0.00</td> </tr> </table> | \$ | \$0.00 | | | | | | | | | | | | | | | | | | | | | | | | |
| \$ | \$0.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| TOTAL FEES ENCLOSED = | | <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td>\$</td> <td>\$1,325.00</td> </tr> </table> | \$ | \$1,325.00 | | | | | | | | | | | | | | | | | | | | | | | | |
| \$ | \$1,325.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td>Amount to be</td> <td>\$</td> </tr> <tr> <td>Amount to be</td> <td>\$</td> </tr> </table> | Amount to be | \$ | Amount to be | \$ | | | | | | | | | | | | | | | | | | | | | | |
| Amount to be | \$ | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Amount to be | \$ | | | | | | | | | | | | | | | | | | | | | | | | | | | |

10/559140

PTO-1390 (Rev. 07-2005)

Approved for use through 3/31/2007. OMB 0651-0021
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

- 10/559140 NOV 2005
- a. ☒ A check in the amount of \$ \$1,325.00 to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees.
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 23-0920. A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

Customer No. 24628


SIGNATURE

Eric D. Cohen

NAME

38,110

REGISTRATION NUMBER

November 30, 2005

DATE